	Application No.	Applicant(s)
Notice of Allowability	10/082,536	BERGER ET AL.
	Examiner	Art Unit	
	James A. Reagan	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the interview conducted on 14 June 2006*.

2. ☒ The allowed claim(s) is/are *1-4,7-12,15-25,30,42,46 and 47*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1)☐ hereto or 2)☐ to Paper No./Mail Date _____.

    (b)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

Status of Claims

1.   This action is in reply to the interview conducted on 14 June 2006.

2.   Claims 1, 9, 15, 19, 20, 30, 42, 46, and 47 have been amended by Examiner's amendment below.

3.   Claims 5, 6, 13, 14, 26-29, 31-41, and 43-45 have been canceled by Examiner's amendment below.

4.   Claims 1-4, 7-12, 15-25, 30, 42, 46, and 47 are currently pending and have been examined.

Allowable Subject Matter

5.   Claims 1-4, 7-12, 15-25, 30, 42, 46, and 47 are allowed. See Reasons for Allowance under separate heading.

EXAMINER'S AMENDMENT

6.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

7.   Authorization for this examiner's amendment was given in a telephone interview with LOUIS HERZBERG on 14 June 2006.

8.   The application has been amended as follows:

CANCEL claims 5, 6, 13, 14, 26-29, 31-41, and 43-45.

Amend claims 1, 9, 15, 19, 20, 30, 42, 46, and 47 as follows:

1. (Currently amended) A method comprising:

~~routing a first portion of information to a first device and at least one other portion of information to at least one other device in response to a user's query, said method including:~~

providing information responsive to a user's query, said information having a first portion and at least one other portion;

~~receiving said query and~~ identifying said user's meeting a first identification criterion;

forming a user identification when said first identification criterion is met;

employing said user identification in splitting said information to form ~~in forming~~ said first portion of the information and said at least one other portion of the information; ~~and~~

forwarding said first portion of information to ~~said~~ a first device and said at least one other portion of information to ~~said~~ at least one other device, said at least one other device not requiring any relationship to said first device;

wherein content included in said first portion of information and included in said at least one other portion of information is based on a preference criterion; and

wherein said preference criterion is a criterion selected from a group of criteria including: security level; user profile; user data; user history; preferred customer status; user affiliation; user service level association; time of day; day of year; religion; ethnic background; national background; gender; sexual orientation; demographic information; context; inventory; classification level; and any combination of the above criterion.

2. (Original) A method as recited in claim 1, wherein said step of identifying is performed by an identifier, and step of employing is performed by a respondent server.

3. (Original) A method as recited in claim 1, wherein said first device is a user device employed in making said query, and said step of identifying includes identifying said user device employing identification criteria.

4. (Previously presented) A method as recited in claim 3, wherein one of said identification criteria is a criterion selected from a group of criteria including: identifying a device identification; identifying a device group identification; identifying a user identification; identifying a user group identification; authenticating user of said device by user identification and password; employing a verification signature included in said query; employing an RF id tag; employing a 3rd party mechanism; and

any combination of said criterion.

5. (Cancelled)

6. (Cancelled)

7. (Original) A method as recited in claim 1, further comprising a first entity supplying said first device to a user.

8. (Original) A method as recited in claim 7, wherein said first entity is a business and said user is a customer.

9. (currently amended) A method as recited in claim 3 5, further comprising:

said user employing said first device in a session; and

associating said user for said session employing said verification.

10. (Original) A method as recited in claim 2, wherein said respondent server is also said identifier.

11. (Original) A method as recited in claim 1, wherein said step of receiving said query [and identifying] said user's meeting a first identification criterion, includes at least one step from a group of steps including:

user pre-registering query; utilizing user criteria; selecting a hyper-link; sending mail.

12. (Original) A method as recited in claim 1, wherein said first portion of information includes private user information and said at least one other portion of information includes public information.

13. (Cancelled)

14. (Cancelled)

15. (Currently amended) A method as recited in claim 14 1, further comprising changing preference criteria dynamically.

16. (Original) A method as recited in claim 15, wherein said step of changing preference criteria is performed dynamically during a session.

17. (Original) A method as recited in claim 16, wherein preference criteria change dynamically during a session by a user.

18. (Original) A method as recited in claim 1, further comprising forming a user profile database for a plurality of users.

19. (Currently amended) A method as recited in claim 13 1, further comprising forming a user profile database for a plurality of users based on said preference criteria.

20. (Currently amended) A method as recited in claim 18 16, wherein said step of forming is repeated in accordance with a database update criterion.

21. (Previously presented) A method as recited in claim 20, wherein said database update criterion is a criterion selected from a group of criteria including:

change of preference criteria by user; change of identification criteria; information access; change of context; and

any combination of the above criterion .

22. (Original) A method as recited in claim 18, wherein said step of forming an identification when said first identification criterion is met, includes:

identifying user; and

associating said user with said user profile.

23. (Original) A method as recited in claim 1, wherein said step of forming an identification when said first identification criterion is met, includes:

identifying user;

associating said user with said identification criterion;

24. (Original) A method as recited in claim 18, wherein said step of forming an identification when said first identification criterion is met includes:

associating said identification criterion with user profile.

25. (Original) A method as recited in claim 19, wherein said step of employing said identification in forming said first portion of information and said at least one other portion of information, includes:

creating rules for forming said first portion and said at least one other portion based on said preference criteria;

employing said rules to form said first portion and said at least one other portion;

26. (Cancelled)

27. (Cancelled)

28. (Cancelled)

29. (Cancelled)

30. (Currently amended) An apparatus comprising:

means for routing responsive to a user's query information having a first portion and at least one other portion, said a first portion of information being routed to a first device and said at least one other portion of information being routed to at least one other device in response to a user's query, said means for routing including:

means for receiving said query and identifying said user's meeting a first identification criterion;

means for forming a user identification when said first identification criterion is met;

means for employing said user identification in forming said first portion of information and said at least one other portion of information; and

means for forwarding said first portion of information to said first device and said at least one other portion of information to said at least one other device, wherein said forwarding of said first portion and at least one other portion requiring no persistent or predetermined order;

wherein content included in said first portion of information and included in said at least one other portion of information is based on a preference criterion; and

wherein said preference criterion is a criterion selected from a group of criteria including: security level; user profile; user data; user history; preferred customer status; user affiliation; user service level association; time of day; day of year; religion; ethnic background; national background; gender; sexual orientation; demographic information; context; inventory; classification level; and any combination of the above criterion.

31. (Cancelled)

32. (Cancelled)

33. (Cancelled)

34. (Cancelled)

35. (Cancelled)

36. (Cancelled)

37. (Cancelled)

38. (Cancelled)

39. (Cancelled)

40. (Cancelled)

41. (Cancelled)

42. (Currently amended) An article of manufacture comprising a computer usable medium having computer readable program code means embodied therein for causing information routing, the computer readable program code means in said article of manufacture comprising computer readable program code means for causing a computer to effect the steps of ~~claim 1~~:

providing information responsive to a user's query, said information having a first portion and at least one other portion;

identifying said user's meeting a first identification criterion;

forming an user identification when said first identification criterion is met;

employing said user identification in splitting said information to form said first portion of the information and said at least one other portion of the information;

forwarding said first portion of information to a first device and said at least one other portion of information to at least one other device, said at least one other device not requiring any relationship to said first device;

wherein content included in said first portion of information and included in said at least one other portion of information is based on a preference criterion; and

wherein said preference criterion is a criterion selected from a group of criteria including:

security level; user profile; user data; user history; preferred customer status; user affiliation; user

service level association; time of day; day of year; religion; ethnic background; national

background; gender; sexual orientation; demographic information; context; inventory;

classification level; and any combination of the above criterion.

43. (Cancelled)

44. (Cancelled)

45. (Cancelled)

46. (Currently amended) A method as recited in claim 1, further comprising providing a

program storage device readable by machine, tangibly embodying a program of instructions

executable by the machine to perform the method steps for of providing information, forming,

employing and forwarding routing, said method steps comprising the steps of claim 1.

47. (Currently amended) A computer program product comprising a computer usable

medium having computer readable program code means embodied therein for causing routing,

the computer readable program code means in said computer program product comprising

computer readable program code means for causing a computer to effect the functions of claim

30:

means for routing responsive to a user's query information having a first portion and at

least one other portion, said first portion of information being routed to a first device and said at

least one other portion of information being routed to at least one other device, said means for

routing including:

means for receiving said query and identifying said user's meeting a first identification criterion;

means for forming an user identification when said first identification criterion is met;

means for employing said user identification in forming said first portion of information and said at least one other portion of information;

means for forwarding said first portion of information to said first device and said at least one other portion of information to said at least one other device.

wherein content included in said first portion of information and included in said at least one other portion of information is based on a preference criterion; and

wherein said preference criterion is a criterion selected from a group of criteria including: security level; user profile; user data; user history; preferred customer status; user affiliation; user service level association; time of day; day of year; religion; ethnic background; national background; gender; sexual orientation; demographic information; context; inventory; classification level; and any combination of the above criterion.

Reasons For Allowance

9.   The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system components of:

- *wherein content included in said first portion of information and included in said at least one other portion of information is based on a preference criterion; and*

- *wherein said preference criterion is a criterion selected from a group of criteria including: security level; user profile; user data; user history; preferred customer status; user affiliation; user service level association; time of day; day of year; religion; ethnic background; national background; gender; sexual orientation; demographic information; context; inventory; classification level; and any combination of the above criterion.*

More specifically, the prior art of record fails to disclose the use of a preference criterion according to which any (or all) parts of the information provided to the customer (through at least two devices) is based upon, or the use of any preference criterion related to the group of criteria as stated. Independent Claims 1, 30, 42, and 47 are distinguished over the closest prior art of Rosenberg (US 6,879,963 B1), which teaches cross channel delivery of items purchased. As recited in independent Claims 1, 30, 42, and 47, it is clear that the Applicant's invention is distinguished over the Rosenberg invention in at least the method step and/or system component of including specific preference criterion as claimed. Although Rosenberg does disclose a cross channel fulfillment system that enables consumers to purchase and receive items using different transmission mediums, Rosenberg does not indicate the use of a preference criterion according to which any (or all) parts of the information provided to the customer (through at least two devices) is based upon. Nor does Rosenberg indicate the use of any preference criterion related to the group of criteria stated in claims.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Perritt, Henry H.   "Knowbots, Permissions Headers and Contract Law" (30 April 1993) discloses distribution of digital files.

- Kishi et al. (H03-282733)   discloses rule generation for   utilizing software components.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

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or faxed to:

571-273-8300   [Official communications, After Final communications labeled "Box AF"]

571-273-8300   [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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JAMES A. REAGAN

Primary Examiner

Art Unit 3621

22 August 2006

JAMES A. REAGAN
PRIMARY EXAMINER